

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 2, 2018**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of May 2, 2018, was called to order by Mayor Nakanishi at 6:28 p.m.

Present: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Absent: Council Member Johnson

Also Present: City Manager Schwabauer, Deputy City Attorney Fukasawa, and City Clerk Ferraiolo

C-2 Announcement of Closed Session

- a) Conference with Adele Post, Human Resources Manager, and Andrew Keys, Deputy City Manager (Labor Negotiators), Regarding Lodi City Mid-Management Association, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, Lodi Professional Firefighters, Lodi Fire Mid-Management, and International Brotherhood of Electrical Workers Pursuant to Government Code §54957.6 (CM)
- b) Prospective Sale of Real Property Located at 705 East Lodi Avenue, Lodi, California, Known as Former Fire Station 2, Owned by the City of Lodi; APN: 043-230-06; Government Code §54956.8 (CM)

C-3 Adjourn to Closed Session

At 6:28 p.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the above matters. The Closed Session adjourned at 6:56 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:05 p.m., Mayor Nakanishi reconvened the City Council meeting, and Deputy City Attorney Fukasawa disclosed the following actions.

Item C-2a) was discussion with no reportable action.

Item C-2b) was discussion and direction given with no reportable action.

A. Call to Order / Roll Call

The Regular City Council meeting of May 2, 2018, was called to order by Mayor Nakanishi at 7:05 p.m.

Present: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Absent: Council Member Johnson

Also Present: City Manager Schwabauer, Deputy City Attorney Fukasawa, and City Clerk Ferraiolo

B. Presentations

B-1 National Public Works Week Proclamation (PW)

Mayor Nakanishi presented a proclamation proclaiming May 20 - 26, 2018, as National Public Works Week to Transportation Manager Georgia Lantsberger who announced this year's theme of "The Power of Public Works" and emphasized the Department's many areas of focus, including roads, drinkable water, building and vehicle maintenance, safe transportation, treatment and processing of wastewater, and infrastructure.

B-2 Bike Month / Bike to Work Day Proclamation (PW)

Mayor Nakanishi presented a proclamation proclaiming May as Bike Month and May 24, 2018, as Bike to Work Day to Bike Lodi representative Kathryn Siddle, who announced the many Bike Month activities, including free bike valets at the Street Faire, Zin Fest, and Farmers' Markets, as well as prizes throughout the month. Ms. Siddle presented Bike Friendly Business awards to Doug Winters with Flight, Amanda Lange from Lange Twins, and Dave Kirsten in honor of their support and encouragement of the cycling community.

C. Consent Calendar (Reading; Comments by the Public; Council Action)

Mayor Pro Tempore Mounce made a motion, second by Council Member Chandler, to approve the following items hereinafter set forth in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Johnson

C-1 Receive Register of Claims in the Amount of \$4,794,482.46 (FIN)

Claims were approved in the amount of \$4,794,482.46.

C-2 Approve Minutes (CLK)

The minutes of April 17, 2018 (Shirtsleeve Session), April 18, 2018 (Regular Meeting), and April 24, 2018 (Shirtsleeve Session) were approved as written.

C-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Vinewood Pump Station Electrical Improvements (PW)

Approved plans and specifications and authorized advertisement for bids for Vinewood Pump Station Electrical Improvements.

C-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Blakely Park – North Pool Improvements (PW)

Approved plans and specifications and authorized advertisement for bids for Blakely Park - North Pool Improvements.

C-5 Approve Plans and Specifications and Authorize Advertisement for Bids for Cluff Avenue Sewer Lift Station Improvements (PW)

Approved plans and specifications and authorized advertisement for bids for Cluff Avenue Sewer Lift Station Improvements.

C-6 Approve Specifications and Authorize Advertisement for Bids for 2018-2019 Asphalt Materials (PW)

Approved specifications and authorized advertisement for bids for 2018-2019 Asphalt Materials.

C-7 Adopt Resolution Awarding Contract for Henry Glaves Playground Improvements to Randolph Pierson, DBA Stratus Construction Company (\$68,000) (PW)

Adopted Resolution No. 2018-72 awarding the contract for Henry Glaves Playground Improvements to Randolph Pierson, DBA Stratus Construction Company, in the amount of \$68,000.

C-8 Adopt Resolution Authorizing City Manager to Execute Lease of Property with Union Pacific Railroad Company for Transit Station Security Fencing Project, and Other Related Documents (PW)

Adopted Resolution No. 2018-73 authorizing the City Manager to execute Lease of Property with Union Pacific Railroad Company for Transit Station Security Fencing Project, and other related documents.

C-9 Adopt Resolution Authorizing City Manager to Execute Amendment No. 1 to Professional Services Agreement with Clean Energy Renewable Fuels, LLC, of Newport Beach, for Inspection and Preventative Maintenance Services of Compressed Natural Gas Station (\$15,000) (PW)

Adopted Resolution No. 2018-74 authorizing the City Manager to execute Amendment No. 1 to Professional Services Agreement with Clean Energy Renewable Fuels, LLC, of Newport Beach, for inspection and preventative maintenance services of compressed natural gas station, in the amount of \$15,000.

C-10 Adopt Resolution Authorizing City Manager to Execute Amendment No. 3 to Professional Services Agreement with Lyons Security, Inc., of Orange, to Extend Security Services to Lodi Public Library and Exercise Option to Extend Agreement for One Year (Not to Exceed \$120,000) (LIB / PRCS)

Adopted Resolution No. 2018-75 authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement with Lyons Security, Inc., of Orange, to extend security services to Lodi Public Library and exercise option to extend agreement for one year, in an amount not to exceed \$120,000.

C-11 Adopt Resolution Authorizing Specific Staff Members of York Risk Services Group, Inc., as Signers on City of Lodi Workers Compensation Claims Management Account and Further Authorizing City Manager to Update York Signers to the Account as Needed (CM)

Adopted Resolution No. 2018-76 authorizing specific staff members of York Risk Services Group, Inc., as signers on City of Lodi workers compensation claims management account and further authorizing the City Manager to update York signers to the account as needed.

C-12 Appoint Aaron VanNortwick to the Recreation Commission and Direct City Clerk to Post for Expiring Terms and Vacancy on Library Board of Trustees, Lodi Arts Commission, Planning Commission, and San Joaquin County Commission on Aging (CLK)

Made the following appointment and directed the City Clerk to post for the following vacancies:

APPOINTMENT:

Recreation Commission

Aaron VanNortwick, term to expire December 31, 2020

POSTINGS:

Library Board of Trustees

Caitlin Casey, term to expire June 30, 2018

Frankie Kooger, term to expire June 30, 2018

Lodi Arts Commission

Ben Burgess, term to expire July 1, 2018

Nancy Ahlberg Mellor, term to expire July 1, 2018

Sandi Walker-Tansley, term to expire July 1, 2018

Richard Dentino, term to expire July 1, 2019

Planning Commission

William Cummins, term to expire June 30, 2018

San Joaquin County Commission on Aging

Terri Whitmire, term to expire June 30, 2018

- C-13 Adopt the Following Resolutions Pertaining to the November 6, 2018, General Municipal Election: a) Resolution Calling and Giving Notice of the General Municipal Election; b) Resolution Requesting San Joaquin County Board of Supervisors to Render Specified Services for the Conduct of a General Municipal Election; c) Resolution Setting Forth Council's Policy Regarding Impartial Analyses, Arguments, and Rebuttal Arguments for Any Measure(s) that May Qualify to be Placed on the Ballot; and d) Resolution Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at the General Municipal Election (CLK)

Adopted the following resolutions pertaining to the November 6, 2018, General Municipal Election: a) Resolution No. 2018-77 calling and giving notice of the General Municipal Election; b) Resolution No. 2018-78 requesting San Joaquin County Board of Supervisors to render specified services for the conduct of a General Municipal Election; c) Resolution No. 2018-79 setting forth Council's policy regarding impartial analyses, arguments, and rebuttal arguments for any measure(s) that may qualify to be placed on the ballot; and d) Resolution No. 2018-80 adopting regulations for candidates for elective office pertaining to Candidates' statements submitted to the voters at the General Municipal Election.

- C-14 Adopt Resolution in Support of Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (PRCS)

Adopted Resolution No. 2018-81 in support of Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

- C-15 Set Public Hearing for May 16, 2018, to Consider Appeal of Omair Nasim / DN Acquisitions, LLC, for Reconsideration of the Planning Commission Project Indecision (CD)

Set public hearing for May 16, 2018, to consider appeal of Omair Nasim / DN Acquisitions, LLC, for reconsideration of the Planning Commission project indecision.

- D. Comments by the Public on Non-Agenda Items
THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.
Public comment may only be made on matters within the Lodi City Council's jurisdiction (Government Code Section 54954.3, Lodi City Council Protocol Manual Section 6.3I). The Council cannot take action or deliberate on items that are not on this agenda unless there is an emergency and the need to take action on that emergency arose after this agenda was posted (Government Code Section 54954.2(b)(2)). All other items may only be referred for review to staff or placement on a future Council agenda.

Sharyl Sturdevant, member of the public, requested Council consider implementing a pilot study for carpooling and providing lots where people can park during the day instead of on-street in

single-family neighborhoods. She stated her neighborhood near Borchardt School is inundated with parked cars and commercial vehicles because individuals park there and carpool to work and that she is being targeted by neighbors for complaining and calling the Police.

Mayor Pro Tempore Mounce requested Public Works look into whether or not there is a suitable location near the neighborhood for carpool parking and whether or not the commercial vehicle referenced by Ms. Sturdevant is permitted to park in a residential neighborhood.

In response to Mayor Nakanishi, City Manager Schwabauer stated staff will look further into the situation.

Adolf Christ, member of the public, suggested that Ms. Sturdevant park one of her vehicles in front of her house to discourage others from parking there.

E. Comments by the City Council Members on Non-Agenda Items

Mayor Pro Tempore Mounce reported that she participated in League of California Cities' Legislative Action Days in Sacramento, during which the group met with members of the California Public Employees Retirement System (Cal-PERS) Board and Governor Brown regarding the Cal-PERS situation. Further, she participated in the League's Strategic Planning session in San Francisco to discuss its action plan.

Council Member Kuehne reported that he participated in the San Joaquin Council of Governments One Voice trip in Washington, D.C., to meet with congressmen, senators, and legislators on a myriad of transportation issues, including the port and dredging the deep water canals. Further, he met with Congressman McNerney about funding a gateway sign in Lodi; lobbied for the Highway 99 / Turner Road interchange improvements project; and learned that autonomous vehicles will be a reality sooner than originally believed.

Council Member Chandler stated that he and fellow Council Members and staff recently attended the Lodi tourism lunch hosted by Visit Lodi!, at which Executive Director Nancy Beckman gave a stellar report on the increase in tourism dollars for this region and David Lucas was honored for his work in establishing the appellation and creating wonderful wines.

D. Comments by the Public on Non-Agenda Items

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Mayor Nakanishi re-opened the public comment period on non-agenda items.

Daniel Van Orn questioned what the City is doing to help the homeless, to which City Manager Schwabauer recapped the many efforts taken by the City, including investments in the Salvation Army, Lodi House, and subsidized rental facility for graduates of the Salvation Army Program; creation of the Ready to Work Program and workforce job training program; and dedicated officer to work with the homeless and address their needs.

Assemblyman Jim Cooper presented a proclamation to Mayor Pro Tempore Mounce for her efforts on the League of California Cities and for advocating on behalf of Lodi, as well as the State. Further, Mr. Cooper informed Council of a Bill he is working on to qualify for the ballot relating to DNA evidence that would help protect the public and ensure citizens are safe. He encouraged Council and public support for this effort.

F. Comments by the City Manager on Non-Agenda Items

None.

G. Public Hearings

NOTE: The following items were discussed and acted upon out of order.

G-1 Continued Public Hearing to Consider Adopting Resolution Authorizing City Manager to Execute Reimbursement Agreement RA-18-01 for Public Improvements Constructed with Lodi Shopping Center (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the continued public hearing to consider adopting resolution authorizing the City Manager to execute Reimbursement Agreement RA-18-01 for public improvements constructed with Lodi Shopping Center.

City Manager Schwabauer requested Council continue the public hearing to May 16, 2018, so staff may continue discussions and negotiations with the interested parties in this matter.

Mayor Nakanishi opened the public hearing.

Mayor Pro Tempore Mounce made a motion, second by Council Member Chandler, to continue public hearing to May 16, 2018, to consider authorizing the City Manager to execute Reimbursement Agreement RA-18-01 for public improvements constructed with Lodi Shopping Center.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Johnson

G-4 Public Hearing to Consider Appeal of Erik and Staci Jones Regarding Public Works Department's Denial of Encroachment Permit for 3031 Celebration Drive (PW)

NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the public hearing to consider appeal of Erik and Staci Jones regarding the Public Works Department's denial of encroachment permit for 3031 Celebration Drive.

City Manager Schwabauer stated the appellant requested Council continue the public hearing to May 16, 2018.

Mayor Nakanishi opened the public hearing.

Mayor Pro Tempore Mounce made a motion, second by Council Member Chandler, to continue public hearing to May 16, 2018, to consider appeal of Erik and Staci Jones regarding Public Works Department's denial of encroachment permit for 3031 Celebration Drive.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Johnson

G-2 Public Hearing to Consider Adopting Resolution Approving Planning Commission's Recommendation to Authorize 560 Low-Density Residential Growth Management Allocations for the Gateway South Subdivision (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the public hearing to consider adopting resolution approving Planning Commission's recommendation to authorize 560 Low-Density Residential Growth Management Allocations for the Gateway South Subdivision.

City Planner Craig Hoffman provided a PowerPoint presentation regarding Growth Management Allocations for Gateway South Subdivision. Specific topics of discussion included vicinity map, Gateway South map, Growth Management Allocation for Gateway North (2017), Growth Management Allocation for 2018, and Growth Management Allocation for Gateway South.

In response to Mayor Pro Tempore Mounce, Mr. Hoffman stated staff will return to Council in the future to either retire some of the Growth Management Allocations or present an ordinance to Council that would automatically expire allocations on a yearly basis by age.

Mayor Nakanishi opened the public hearing for public comment.

Sharyl Sturdevant expressed support for a moratorium on building so as not to outgrow infrastructure and resources.

Tom Doucette with FCB Homes, representing the Gateway Project, explained this project will be built and phased in over many years, starting on the northern section on Lower Sacramento Road and Kettleman Lane. He stated he shares Council's concerns over the growing reservoir of Growth Management Allocations and looks forward to working with the City in the future to refashion the policy.

There being no further public comments, Mayor Nakanishi closed the public hearing.

Mayor Pro Tempore Mounce stated this is a quality project, however, she would not support the recommendation because she feels the City does not have the infrastructure to support the amount of growth taking place and lacks money and resources to pay for vital community services.

Council Member Kuehne made a motion, second by Council Member Chandler, to adopt Resolution No. 2018-82 approving the Planning Commission's recommendation to authorize 560 Low-Density Residential Growth Management Allocations for the Gateway South Subdivision.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, and Mayor Nakanishi

Noes: Mayor Pro Tempore Mounce

Absent: Council Member Johnson

G-3 Public Hearing to Consider Adopting Resolution Approving 2018-19 Annual Action Plan for Community Development Block Grant Program (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the public hearing to consider adopting resolution approving 2018-19 Annual Action Plan for Community Development Block Grant Program.

Community Development Block Grant Program Coordinator Patrice Clemons provided a PowerPoint presentation regarding 2018/19 Community Development Block Grant (CDBG) Program. Specific topics of discussion included 2018/19 CDBG allocation, summary of citizen participation process, Public Service cap, Non-Social Services, Program Administration, submittal

of Annual Action Plan, and recommended action.

Council Member Kuehne stated he would be unable to vote on this matter until he received further information about the organization Disability Resource Agency for Assisted Living (DRAIL), Grace & Mercy's restroom improvement project, the Blakely Pool improvements, and the alleys scheduled for improvements. Staff provided details regarding each.

Mayor Nakanishi opened the public hearing for public comment.

Sharyl Sturdevant questioned if DRAIL is for Veterans, to which Ms. Clemons responded the program criteria is income based and she was unaware of any other preference or criteria.

Spencer Rhodes questioned what will happen with the 180 Teen Center's funding that it declined from last year's allocation and suggested the money go toward existing projects. Mr. Schwabauer stated those funds will ultimately be reallocated to other projects.

There being no further public comments, Mayor Nakanishi closed the public hearing.

Council Member Chandler made a motion, second by Mayor Pro Tempore Mounce, to adopt Resolution No. 2018-83 approving 2018-19 Annual Action Plan for Community Development Block Grant Program.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Johnson

H. Regular Calendar

H-1 Adopt Resolution Approving Classification, Job Description, and Salary Range of Revenue Manager; Adding One Revenue Manager; and Removing One Customer Service Representative (CM)

Deputy City Manager Andrew Keys provided a presentation regarding the classification, job description, and salary range of Revenue Manager; adding one Revenue Manager position; and removing one Customer Service Representative position. Specific topics of discussion included discussions with Council about broadening the Division and reorganizing to expand how services are delivered; loss of two positions in the Division that prompted the need for two managers - one for revenue and one for accounts; duties and oversight for each; reduction in staffing costs of \$20,000; and goal of improved service.

Mayor Pro Tempore Mounce made a motion, second by Council Member Chandler, to adopt Resolution No. 2018-84 approving classification, job description, and salary range of Revenue Manager; adding one Revenue Manager position; and removing one Customer Service Representative position.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Chandler, Council Member Kuehne, Mayor Pro Tempore Mounce, and Mayor Nakanishi

Noes: None

Absent: Council Member Johnson

I. Ordinances – None

K. Adjournment

City Manager Schwabauer stated he had the honor of working with retired Police Officer Virginia Elder, who was Lodi's first equestrian police officer and protected the most vulnerable of the community as an investigator of child sex crimes and elderly financial crimes. He stated she was a remarkable, dedicated individual who leaves behind a loving family and a legacy.

Mayor Pro Tempore Mounce spoke in memory of Lenore Dougherty who was a long-time realtor in the community and past recipient of a lifetime achievement award by the Lodi Association of Realtors.

There being no further business to come before the City Council, the meeting was adjourned at 8:58 p.m. in memory of retired Lodi Police Officer Virginia Elder, who passed away on April 18, 2018, and local business owner Lenore Dougherty, who passed away on April 30, 2018.

ATTEST:

Jennifer M. Ferraiolo
City Clerk